

BOARD ACTION
NOVEMBER 15, 2005

APPROVED	TAB 1 Minutes of: October 18, 2005 - Special Meeting October 18, 2005 - Regular Meeting October 20, 2005 - Special Meeting	WATKINS
ACKNOWLEDGED RECEIPT	TAB 2.1 Request to acknowledge receipt of list of checks or warrants paid prior to this meeting, pursuant to Chapter 136.06 (1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office.	WATKINS
APPROVED	TAB 2.2 Contractor Bonds – New, Endorsements, Rider: <u>New</u> 4766-07 Daniel M. Hayes 5467-06 David Sharp dba David Sharp Electric, Inc. 5499-06 Walter Sheme dba All Central Electric, LLC 5531-06 Gregory Sanders dba Fire & Ice Heating & Air Conditioning 5685-06 Edward P. Mueller dba Pike General Contracting, Inc. 5803-06 Raun Treible, Ruan Treible Air Conditioning 5814-06 Paul J. Arroyo dba PJA Electrical Contractor 5889-06 May West Construction, Inc. (Aluminum) 6352-06 Robert B. Smith dba “B” Electrical, Inc. 6381-06 Robert Potter dba R.W. Potter Const. Inc. 6425-06 Shinedown Construction LLC (Carpentry) 6426-06 Drake Electric Service, LLC 6427-06 Mark A Adams dba Cool Zone AC Inc. 6428-06 Brian Kendall dba United Masonry, Inc. <u>Endorsements</u> 390-06 Ram Electric USA, Inc. Bond Number from FL 107 to FL 9398. 4944-06 From Henry Electrical Company to Charles L. Henry, Jr. dba Henry Electric, Inc. 4944-06 Henry Electric Company. Bond Number from FL 140 to FL 9431. 5637-06 Southerland Electrical Solutions, Inc. From Bond Number FL 102 to FL 9437 6178-06 Integrity Signs, Inc. From Bond Number FL 106 to FL 9397	WATKINS

	<u>Rider</u> 6426-06 From Charles Drake, Drake Electric Service to Charles Drake, Drake Electric Service, LLC (Bond No OFL0502736)	
ACKNOWLEDGED RECEIPT	TAB 2.3 Request to acknowledge receipt of Minutes of the Governing Board of the Southwest Florida Water Management District for August 30, 2005.	WATKINS
ACKNOWLEDGED RECEIPT	TAB 2.4 Request to acknowledge receipt of the following ordinance from City of Clermont, Florida: Ordinance No. 522-M, providing for the annexation of certain parcel of land contiguous to the present City boundary, to-wit: The East 451.3 feet of Tract 60-A, Lake Highlands Company plat of Section 15, Township 22 South, Range 26 East, according to the plat thereof recorded in Plat Book 3, Page 52, Public Records of Lake County, Florida, also being described as the East 451.3 feet of the Southwest 1/4 lying South of the Paved Road (Old Highway 50, the same existed on June 22, 1971) in Section 15, Township 22 South, Range 26 East, Lake County, Florida, AND The East 775 feet of the North 1/2 of the Northwest 1/4 of Section 22, Township South 22 Range 26 East, Lake County, Florida. Passed and Ordained on Final Reading the 11th day of October 2005, by the City Council of the City of Clermont, Florida.	WATKINS
ACKNOWLEDGED RECEIPT	TAB 2.5 Request to acknowledge receipt of unclaimed excess proceeds for tax deeds totaling \$30,737.93. Transfer funds from Clerk's account to the Board of County Commissioners' account.	WATKINS
ACKNOWLEDGED RECEIPT	TAB 2.6 Request to acknowledge receipt of the following ordinances from the Town of Lady Lake: Ordinance 2005-12 – Amending the text of Policy 1-9.1, Future Land Use Element. Ordinance 2005-13 – Amending Chapter 5, Lady Lake Land Development Regulations. Ordinance 2005-15 – Voluntary annexation – Hugh A. & Carol S. Baldock. Ordinance 2005-16 – Amending Ordinance No. 81-8-(83). Ordinance 2005-17 – Redesignating zoning classification – Baldock, Possee, and Smithgall Trust. Ordinance 2005-18 – Voluntary annexation – William L. & Katherine R. Hendry. Ordinance 2005-19 – Amending Ordinance No. 81-8-(83). Ordinance 2005-20 – Redesignating zoning classification – Hendry and Chapman. Ordinance 2005-23 – Voluntary annexation – Lake Saunders Grove Partnership, LLP. Ordinance 2005-24 – Amending Ordinance 81-8-(83). Ordinance 2005-25 – Redesignating zoning classification – Lake Saunders Grove Part., LLP.	WATKINS

	Ordinance 2005-48 – Rescinding Ordinance No. 2005-30 – Daniel A. Cangialosi.	
ACKNOWLEDGED RECEIPT	<p>TAB 2.7</p> <p>Request to acknowledge receipt of the following ordinances from the Town of Lady Lake: Ordinance No. 2005-34 - Permitting additional uses under CP zoning classification. Ordinance No. 2005-37 - Voluntary annexation - Gary and Debbie Tutor. Ordinance No. 2005-38 - Comprehensive Planning; Amending Ordinance No. 81-8-(83). Ordinance No. 2005-39 - Redesignating zoning classification - Gary and Debbie Tutor. Ordinance No. 2005-41 - Supplemental Education Assistance Fees. Ordinance No. 2005-42 - Creating a reclaimed water district. Ordinance No. 2005-43 - Amend Code of Ordinances - Elections and early voting. Ordinance No. 2005-44 - Amend Code of Ordinances - Sexual offenders. Ordinance No. 2005-44 - Amend Code of Ordinances - Use of town parks and facilities. Ordinance No. 2005-46 - Operating Budget for FY October 1, 2005-September 30, 2006.</p>	WATKINS
ACKNOWLEDGED RECEIPT	<p>TAB 2.8</p> <p>Request to acknowledge receipt from Southwest Florida Water Management District - Proposed Five-Year Water Resource Development Work Program - pursuant to Subsection 373.536(6)(a), Florida Statutes.</p>	WATKINS
ACKNOWLEDGED RECEIPT	<p>TAB 2.9</p> <p>Request to acknowledge receipt of Clerk of Courts' Check #101770, which represents Excess Fees for FY 2004/2005, in the amount of \$1,219,038.80.</p>	WATKINS
APPROVED	<p>TAB 3.1</p> <p>Request from Budget for approval of Fiscal Year 2004/2005, Budget transfer - General Fund, Constitutional Offices/Sheriff. Transfer \$258,081.00 from Law Enforcement – Personal Services and \$119,784.00 from Corrections – Personal Services to Law Enforcement – Operating Expenses (\$164,378.00), Law Enforcement – Equipment (\$93,703.00), Corrections – Operating Expenses (\$116,929.00) and Corrections – Equipment (\$2,855.00). Pursuant to F.S. 30.49, the Sheriff is requesting a transfer to cover expenditures.</p>	FRAZIER
APPROVED	<p>TAB 3.2</p> <p>Request from Budget for approval of Fiscal Year 2004/2005 - Budget transfer – Various Funds, Various Departments, in the amount of \$1,297,346.00 is requested. County policy stipulates that actual expenditures cannot exceed the budget for a major object within a fund. A major object includes: Personal Services, Operating Expenses, Capital Outlay, and Debt Service. Actual expenditures were in excess of the budget for several major objects in various funds.</p>	FRAZIER

APPROVED	<p>TAB 3.3</p> <p>Request from Budget for approval of Fiscal Year 2005/2006 – General Fund, Non-Departmental, in the amount of \$11,000.00 is requested. Funds needed to pay R. W. Beck, Consultant, for FEMA Appeals Support. Funds available in Reserve for Operations.</p>	FRAZIER
APPROVED	<p>TAB 3.4</p> <p>Request from Budget - Fiscal Year 2005/2006 – Capital Substitution – County Transportation Trust Fund, Department of Public Works, Road Operations Division. Transfer \$30,801.00 from Machinery & Equipment (4x4 truck - \$1,370.00, dump trucks - \$19,303.00, mowing tractors - \$10,128.00) to Machinery & Equipment (plate compactors - \$3,897.00, mowers - \$26,904.00). Three mowers need to be replaced due to repair/maintenance costs that are now exceeding \$6,000.00 each per year. Three plate compactors need to be replaced as one cannot be repaired and the other two need to be repaired almost every time they are used. Funds available from other capital items that have been purchased under budget.</p>	FRAZIER
APPROVED	<p>TAB 3.5</p> <p>Request from Budget for approval of Fiscal Year 2004/2005 – Resolution 2005-186 to amend the County Transportation Trust Fund in order to receive unanticipated revenue for Fiscal Year 2004/2005 in the amount of \$93,742.00 deposited into 9th Cent Gas Tax and provide appropriations for the disbursement for 9th Cent Gas Tax to Cities. The revenue will be received from the State of Florida.</p>	FRAZIER
APPROVED	<p>TAB 3.6</p> <p>Request from Budget for approval of Fiscal Year 2004/2005 – Resolution 2005-187 to amend the Road Impact Fees Fund in order to receive unanticipated revenue for Fiscal Year 2004/2005 in the amount of \$221,162.00 deposited into County Incentive Grant Program (\$140,042.00) and LAP Projects (\$81,120.00) and provide appropriations for the disbursement for Roads. The revenue was received from the Florida Department of Transportation, County Incentive Program, for the design and engineering on County Road 470 (\$140,042.00), and Local Agency Program for CR 466 at Rolling Acres Road (\$81,120.00).</p>	FRAZIER
APPROVED	<p>TAB 3.7</p> <p>Request from Budget for approval of Fiscal Year 2005/2006 – Resolution 2005-188 to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2005/2006 in the amount of \$100,000.00 deposited into Comprehensive Plan and provide appropriations for the disbursement for</p>	FRAZIER

	Professional Services. Revenue will be received for the Public Schools Facilities Element Pilot Community, from the State-funded Subgrant Agreement.	
APPROVED	TAB 3.8 Request from Budget for approval of Fiscal Year 2005/2006 – Resolution 2005-189 to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2005/2006 in the amount of \$26,717.00 deposited into Contributions from Other Agencies and provide appropriations for the disbursement for Office Supplies, Office of Information Technology. Funds received from the Lake County Property Appraiser for the purchase of computer licensing for Fiscal Year 2005/2006.	FRAZIER
APPROVED	TAB 4 Request from Community Services for approval to accept the Fiscal Year 2005-2006 Community Development Block Grant (CDBG) Agreement; authorize the Chairman to sign it; and direct the Department of Community Services to implement the programs covered under the Agreement.	SMITH
APPROVED	TAB 5 Request from Community Services for approval of recommended library closings for calendar year 2006.	SMITH
APPROVED	TAB 6 Request from Community Services for approval for Library Services to apply for small grants, monetary support and donations under \$2,500.00 to support programming for the Lake County Library System and to allow the County Manager to sign documents associated with those requests. Library Services will notify the BCC in writing of grants applied for and will provide quarterly reports on grants received unless no grants are received in a quarter.	SMITH
APPROVED	TAB 7 Request from Community Services for approval to hold the Lake County Library System's Annual Festival of Reading and to solicit donations to support the event throughout the fiscal year.	SMITH
APPROVED	TAB 8 Request from Community Services for approval of 2005-2006 Agreement for Mental Health Services with LifeStream Behavioral Center.	SMITH
APPROVED	TAB 9 Request from Community Services for approval of Agreement with LifeStream Behavioral Center to provide funding to relocate Adult Day Services and Geriatric Programs.	SMITH

APPROVED	TAB 10 Request from Public Safety for approval of updated Mutual Aid and Automatic Aid Agreements with Orange County; an Automatic Aid Agreement with Marion County; an Automatic Aid with the City of Clermont; a Mutual Aid Agreement with the City of Minneola; and an Interlocal Aid Agreement with the City of Mount Dora.	KAISER
APPROVED	TAB 11 Request from Public Safety for approval and execution of Agreement to accept \$48,895.00 from the State of Florida, Department of Community Affairs, for the State Homeland Security Grant (SHSG) Issue 08 and to hire a part-time temporary position.	KAISER
APPROVED	TAB 12 Request from Public Works for approval and signature of Resolution 2005-190 to advertise Public Hearing for Vacation Petition Number 1056 by Henry C. and Janet M. Shupe, Representative Leslie Campione, P.E., to vacate a portion of the right of way, in the Plat of Springs Bath & Yacht Club, located in Section 17, Township 20 South, Range 25 East, in the Yalaha area. Commission District 3.	JIM STIVENDER
APPROVED	TAB 13 Request from Public Works for approval and signature of Resolution 2005-191 to advertise Public Hearing for Vacation Petition Number 1068 by Howard Marshall, Representative Wicks Consulting, to vacate a portion of the Plat of Dora Pines Unit Two, located in Section 21, Township 19 South, Range 27 East, in the Mount Dora area. Commission District 4.	JIM STIVENDER
APPROVED	TAB 14 Request from Public Works for approval to accept two Drainage Easements, five Quitclaim Deeds, two Statutory Warranty Deeds, and one Non-Exclusive Easement Deed that have been secured in conjunction with roadway and/or stormwater projects.	JIM STIVENDER
APPROVED	TAB 15 Request from Public Works for approval and signature on Resolution 2005-192 authorizing the posting of "No Parking on Right of Way" signs on the south side of Yale Circle (7043) between Eagle Pass Road and Echols Road in the Grand Island area.	JIM STIVENDER

APPROVED	TAB 16 Request from Public Works for approval and signature on Resolution 2005-193 authorizing the posting of "No Parking on Right of Way" signs on both sides of the entire length of Independence Boulevard (2323) in the Christopher C. Ford Commerce Park in the Groveland area.	JIM STIVENDER
APPROVED	TAB 17 Request from Public Works for approval and signature on Resolution 2005-194 authorizing to reduce the speed limit on CR 44A (6286) from Estes Road (5876) to Calhoun Road (6581), and on Lake Eustis Drive (4851) from US 441 to a point 2800 feet to the east.	JIM STIVENDER
APPROVED	TAB 18 Request from Public Works for approval and execution of a Purchase Agreement with Faith Lutheran Church at Eustis, Florida, for right of way; and authorization for the Chairman of the Board of County Commissioners to sign any and all documents necessary for closing, in conjunction with the Old Mount Dora Road (Number 4865) Project, located in the Eustis area in Section 23, Township 19 South, Range 26 East.	JIM STIVENDER
APPROVED	ADDENDUM NO. 1, I. Request from Procurement Services for approval to award the contract for Emergency Debris Disposal Services to Ceres Environmental Services, Inc., and D & J of Alabama, Inc., in accordance with RFP Number 05-007.	FRAZIER
	TAB 22 PRESENTATION Presentation of \$200,000 check from Florida Department of Environmental Protection, Land and Water Conservation Fund Program, to Lake County Board of County Commissioners by Representative Alan Hays and Senator Carey Baker for design and construction of improvements at PEAR Park.	
APPROVED	TAB 19 Request from Community Services for approval of the Community Enhancement Area Working Group recommendation designating the Community of Yalaha as a Community Enhancement Area (CEA) and to recognize the other communities submitting applications as Emerging CEA's; and to direct the Community Development Block Grant (CDBG) Division to assist in funding renovation of the Yalaha Community Center; and approved the other rankings as submitted.	GEARING/ EGINTON

	<p>TAB 19 (continued)</p> <p>Staff will look for ways to encourage and start up some of the other projects, perhaps with the portion of the \$20,000 grant money that is not spent on this project, and come back to the Board later. Information brought back will include how the entire \$84,400 (CDBG line item budgeted amount that was carried over carried to this year) will be spent.</p> <p>Commissioner Stivender requested that staff meet with her prior to the item coming back to the Board.</p>	
APPROVED	<p>ADDENDUM NO. 1, II PRESENTATION</p> <p>Approval and presentation of Proclamation 2005-195 proclaiming November 2005 as National Hospice Month in Lake County.</p>	HANSON
DISCUSSION	<p>TAB 20</p> <p>Discussion of the Lake County Golf Course Ordinance.</p>	HEWITT/ WOOD
PRESENTATION	<p>PRESENTATION</p> <p>RIBBON CUTTING of Mobile Health Clinic, Tower Truck, Special Operations Pumper, and Special Ops Trailer.</p>	
APPROVED	<p>TAB 21</p> <p>Request from Public Works for approval and signature on Resolution 2005-196 to advertise Public Hearing for Vacation Petition Number 1066 by Michael E. Deslauriers to vacate a portion of a landscape buffer/easement, in the Plat of Eagleridge, Phase III, located in Section 23, Township 24, Range 26, in the South Clermont area. Commission District 2.</p>	JIM STIVENDER
POSTPONED UNTIL NOVEMBER 22, 2005	<p>PRESENTATION</p> <p>Branding Initiative "Time for Unity" by Keith Gold, President & CEO of Gold Company.</p>	
APPROVED	<p>TAB 23</p> <p>Request from County Attorney for approval of Ordinance 2005-93 regarding Distribution of Choose Life License Plate Revenue.</p>	MINKOFF
APPROVED	<p>TAB 24</p> <p>Request from County Attorney for approval of Ordinance 2005-94 amending Section 14.11.01 Minor Lot Splits, Section 14.11.02 Family Density Exception, and Section 14.11.03 Agricultural Lot Splits.</p>	MINKOFF

APPROVED	TAB 25 PUBLIC HEARING Approval and Signature of Long Range Plan for the Lake County Library System 2005-2010.	BREEDEN
POSTPONED UNTIL DECEMBER 6, 2005 AT 5:05 PM	TAB 26 PUBLIC HEARING Ordinance Amending Section 11.01.04 of the LDR's to Remove Bus Shelter Signs and Bench Signs from Exempt Signs (Final Hearing).	MINKOFF
POSTPONED UNTIL DECEMBER 6, 2005 AT 5:05 PM	TAB 27 PUBLIC HEARING Ordinance Amending Section 3.01.03 of the LDR's Entitled Schedule of Permitted and Conditional Uses (Final Hearing).	MINKOFF
APPOINTED	TAB 28 Appointed Mr. Glenn Irby as a citizen-at-large representative to the Lake County Impact Fee Committee to complete an unexpired term ending August 6, 2006.	
POSTPONED	The other at-large appointment will be made later.	
APPOINTED	TAB 29 Appointed Mr. F. J. "Rick" Rodrick, Sr. as the City of Fruitland Park's member representative on the Lake County Library Advisory Board to complete an unexpired term ending February 28, 2008.	
APPOINTED	TAB 30 Appointed Judge T. Michael Johnson to represent the Chief Circuit Judge position on the Public Safety Coordinating Council.	
APPROVED	TAB 31 Request from County Attorney for approval of acceptance of Escheatment of Tax Deeds for Tax Certificate Numbers 2208/1995, 230/1991, and 1185/1991.	MARSH
APPROVED	TAB 32 Request from County Attorney for approval for a one-year lease renewal with the option to renew for one additional year for the Clermont Tag Agency located at 194 North Highway 27, Suite A, Clermont, Florida. Motion by Commissioner Stivender included the following wording: with all the discussion held at the Board's November 8, 2005, workshop regarding finding permanent locations for them, the Sheriff and any other Constitutional Officers.	MARSH

APPROVED	After adding the item to the agenda, the Board approved the request of the County Attorney to hire Frederick W. Jones, Esquire, Graham, Builder, Jones, Pratt & Marks, LLP, as a Special Magistrate to hear petitions for the Value Adjustment Board which were conflict cases of Special Magistrate Bruce Duncan. Rate of pay would be \$120/hour. Travel time would be included in that payment.	MARSH
APPROVED	<p>After adding the item to the agenda, the Board approved the recommendation of the County Attorney for a 30-day extension of the due diligence period of the purchase agreement with RealVest for Lot 3 and a portion of Lot 4 in the Christopher C. Ford Commerce Park.</p> <p>RealVest's 90-day due diligence period ends November 16, 2005. They believe either a pipe or an easement runs through the center of the lot and they would like additional time to investigate that. The contract specifies that they would have 15 days, after the expiration date, in which to close on the property.</p>	MARSH
CONSENSUS	<p>Ms. Cindy Hall explained that a RSQ was issued for the construction manager for the downtown Tavares facilities. The selection committee that has been reviewing firms consists of Judge Briggs, Jim Watkins, Gary Borders, Bob McKee, Frank Royce and Jim Bannon. The selection committee viewed presentations and recommended that the following three firms be considered for final ranking: PPI Construction Management, Skanska USA Building, Inc., and Centex Construction. The selection committee will meet again on November 18, 2005.</p> <p>It was the consensus of the Board that the selection committee will rank the final three firms. That final ranking will be brought to the Board on November 22, 2005, and upon approval, negotiations will begin with the top-ranked firm.</p>	HALL
FOR YOUR INFORMATION	<p>Commissioner Pool reported on a meeting with Orange County Commissioner Teresa Jacobs and her staff which he attended with Ms. Melanie Marsh and Ms. Quinnette Durkin to discuss the Conserve II property. Orange County does not want a lease option or long-term lease.</p> <p>The available options include outright purchase, at the current asking price, or trading an alternate, comparable site with adequate and equal amounts of land available to the bond holders who have purchased this land as a spray field.</p>	POOL

FOR YOUR INFORMATION	<p>Commissioner Pool complimented East Ridge High School on their Friday night game which went into overtime. While not victorious Friday night, they have over 30 regular season victories.</p> <p>The East Ridge High School band was ranked superior in all three categories.</p>	POOL
FOR YOUR INFORMATION	Commissioner Hanson thanked the Board for its support in obtaining the Mobile Health Unit.	HANSON
FOR YOUR INFORMATION	Commissioner Stivender announced that the Lady of the Lakes Renaissance Faire 2005, which was held earlier this month, was a successful event. She thanked Ms. Carmen Cullen and the Lake County Educational Foundation for the excellent job they did on the Faire.	STIVENDER
FOR YOUR INFORMATION	<p>Commissioner Stivender reported that three bands in Lake County (East Ridge, Tavares and Leesburg) got all superiors at the Florida Band Association competition in Leesburg.</p> <p>The athletes from all the districts will be brought before the Board at a later date for recognition.</p>	STIVENDER
FOR YOUR INFORMATION	Commissioner Hill noted that Commissioner Cadwell is in Jacksonville attending the State Impact Fee Review Committee meeting.	HILL
APPROVED	<p>Commissioner Hill reported that she has been approached by the University of Central Florida (UCF) regarding a proposed medical school facility. They asked the Lake County Commission to send a letter of support to their Board of Governors.</p> <p>After adding the item to the agenda, the Board approved that the Chairman will write a letter of support for a medical school facility at UCF.</p> <p>Commissioner Hill stated that information on a funding request will come back to the Board later, along with information about potential partners within the Lake County community.</p>	HILL
FOR YOUR INFORMATION	Commissioner Hill commended Ms. Hall and the other staff members for organizing Leadership Lake County Government Day on November 9, 2005. Members of Leadership Lake County acted as County Commissioners and participated in a mock zoning case.	HILL
FOR YOUR INFORMATION	Commissioner Hill requested that photographs taken at this morning's ribbon cutting ceremony (Mobile Health Clinic, the tower truck, the special operations pumper and the special ops trailer) be placed at the end of today's meeting for viewing by	HILL

	the television audience.	
FOR YOUR INFORMATION	<p>Commissioner Stivender asked if County information, such as the ribbon cutting ceremony, can be put on Channel 22.</p> <p>Ms. Hall explained that a government plan will be coming to the Board soon, possibly at a meeting in early December.</p>	STIVENDER
	<p>CITIZEN QUESTION AND COMMENT PERIOD</p> <p>Mr. Roy Hunter, Paisley (Staff will address flooding over septic tanks in Deer Haven. Staff will research the suggestion of purchasing a grader/tractor with a box blade for use on roads by various communities.)</p> <p>Mr. Brad Pyke, Groveland (Staff will work with the property owners in the Millstream Drive area regarding the issue of road maintenance. It was noted that property owners/the community will need to seek neighbors' donations of right of way property.)</p> <p>Mr. Travis Whigham, Lake Mack Area (Regarding barricading of easements, Ms. Marsh advised that, typically, if it is not a publicly dedicated easement, the County does not have the right to force somebody to remove a barrier. She suggested that neighbors might have to go to court. Regarding waiving fees for garbage collections after community cleanup events, Mr. Gregg Welstead noted that staff is working on the issue on a countywide basis.)</p> <p>Mr. Mark Winwood, Yalaha (Expressed appreciation for the Community Development Block Grant - see Tab 19.)</p>	